

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 05-40025-FDS
NYDIA SHARAIL BERNABEL and)	
MATTHEW MARSH,)	
Defendants,)	
_____)	

STATUS REPORT
August 3, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Counsel for the Defendants have requested additional time to review discovery and to determine whether or not they intend to request additional discovery from the Government. If the Defendants seek further discovery from the Government, discovery request letters shall be filed with the Government by August 26, 2005, and the Government shall serve its response to those letters by September 12, 2005.

2. Further Status Conference

A further status conference shall be held in this case on September 14, 2005, at 3:45 p.m., in Courtroom 1, Donohue Federal

Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

With the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from August 2, 2005 (date of expiration of prior order of excludable time) through September 12, 2005 (date by which the Government shall serve its response to Defendants' discovery request letters). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Monday, November 21, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE